

TMH:dv 09/18/03
PATENT

Attorney Reference Number 6395-64907
Application Number 09/701,536

Remarks

Applicants thank Examiner Parkin for telephoning their undersigned representative on September 18, 2003, to discuss the pending Restriction Requirement and the status of this application.

As discussed with the Examiner, the current Restriction Requirement does not take into account the Preliminary Amendment that was filed by the Applicants on July 21, 2003. It is Applicants' understanding that this Preliminary Amendment was lost within the Office for several months, and has only recently been properly entered into the case. Because of this, the incorrect claims were the subject of the Restriction Requirement.

Attached hereto is Appendix A, copy of a PAIR status page for this application, printed September 18, 2003, reflecting the Office's acknowledgement that this Preliminary Amendment was filed July 21, 2003. Since the Preliminary Amendment (including amended and new claims submitted therewith) is now acknowledged by the Office, Applicants request that the Examiner withdraw the current Restriction Requirement and proceed with examining the application based on claims 35-86 now pending in the case.

This request was discussed with the Examiner during the September 18, 2003, telephone conference. Applicants' representative understands that the Examiner has agreed to accept this filing as a complete and correct response to the pending Restriction Requirement, even without a provisional election of any Group.

Finally, Applicants request that the file be updated to reflect the correct attorney docket number as 6395-64907.

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Conclusions

It is believed that this case is in condition for substantive examination, based on the Preliminary Amendment (with claims 35-86) filed on July 21, 2003, and such action is requested. If anything further is required, or if the Examiner believes that a telephone conference would expedite consideration of this case, he is encouraged to telephone the undersigned.

OFFICIAL

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By

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PAIR Page

Search results for application number: 09/701,536			
Application Number:	09/701,536	Customer Number:	24197
Filing or 371(c) Date:	06-18-2001	Status:	Non Final Action Mailed
Application Type:	Utility	Status Date:	09-03-2003
Examiner Name:	PARKIN, JEFFREY S	Location:	TC 1600 LEGAL INSTRUMENTS EXAMINER TEAM 3, CM1-8C10
Group Art Unit:	1648	Location Date:	09-13-2003
Confirmation Number:	5492	Earliest Publication No:	
Attorney Docket Number:	14114.0332U2	Earliest Publication Date:	
Class/ Sub-Class:	514/044	Patent Number:	
First Named Inventor:	Gwong-Jen Chang, Fort Collins, CO (US)	Issue Date of Patent:	
Title Of Invention: Nucleic acid vaccines for prevention of flavivirus infection			

Foreign Priority

Continuity Data

Publication Review

File Contents History		
Number	Date	Contents Description
25	09-15-2003	Correspondence Address Change
24	09-15-2003	Change in Power of Attorney (May Include Associate POA)
23	07-21-2003	Preliminary Amendment
22	09-03-2003	Mail Restriction Requirement
21	09-02-2003	Requirement for Restriction / Election
20	04-21-2003	Information Disclosure Statement (IDS) Filed
19	03-01-2002	Information Disclosure Statement (IDS) Filed
18	10-15-2001	Information Disclosure Statement (IDS) Filed
17	03-05-2002	Information Disclosure Statement (IDS) Filed
16	03-02-2002	Preliminary Amendment
14	03-18-2002	Case Docketed to Examiner in GAU
13	02-07-2002	IFW Scan & PACR Auto Security Review
12	01-29-2002	Application Dispatched from OIPE
11	01-29-2002	Notice of DO/EO Acceptance Mailed
10	09-20-2001	CRF Is Good Technically / Entered into Database
8	08-08-2001	CRF Disk Has Been Received by Preexam / Group / PCT
7	06-18-2001	Applicant 371 Filing Paper Received
6	04-27-2001	Notice of DO/EO Missing Requirements Mailed
5	12-22-2000	371 Application Preexamination Docketing
4	12-11-2000	371 Application Preexamination Docketing
3	11-29-2000	Receipt of 371 Request
2	12-11-2000	Correspondence Address Change
1	11-29-2000	Initial Exam Team nn

EXHIBIT

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